

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

CR 11 0221

FILED
2011 APR - 7 P 3:14
RT. HON. W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

V.

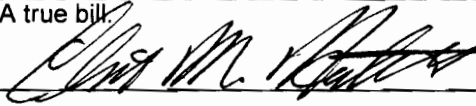
MICHAEL GIORDANO,

DEFENDANT(S).

INDICTMENT


VIOLATIONS: Title 21, United States Code, Section 841(a)(1) – Distribution Of A
Controlled Substance (methamphetamine) (One Count); 21 U.S.C. § 843(b) – Use
of a Communications Facility (Telephone) to Commit/Facilitate Narcotics Trafficking
(One Count)

A true bill.


Foreman

Filed in open court this 7 day of

April, 2011


Brenda Tolbert
Clerk

Bail, \$ NO BAIL ARREST WARRANT


U.S. MAGISTRATE JUDGE

U.S.

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 Count I: Title 21 U.S.C., Section 841(a) - Distribution of more than 5 grams or more of actual methamphetamine
 Count II: Title 21 U.S.C., Section 843(b) - Use of Communication Facility

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: Counts I and II max 40 yrs prison and min 5 yrs prison, \$2,000,000 fine, SVR min 3 yrs

Name of District Court, and/or Judge/Magistrate Location

 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEFENDANT - U.S.

 MICHAEL GIORDANO
 RICHARD W. WIEFING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

DISTRICT COURT NUMBER

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

ATF Special Agent Robert Tucker

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Asst U.S. Atty Kathryn R. Haun

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: 0

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

MELINDA HAAG (CABN 132612)
United States Attorney

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WHA

CR 11 0221

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL GIORDANO,

Defendant.

No.

VIOLATIONS: Title 21, United States Code, Section 841(a)(1) – Distribution Of A Controlled Substance (methamphetamine) (One Count); 21 U.S.C. § 843(b) – Use of a Communications Facility (Telephone) to Commit/Facilitate Narcotics Trafficking (One Count)

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 841(a)(1), (b)(1)(B)(viii)) (Distribution of 5 Grams or More of Actual Methamphetamine)

On or about January 28, 2010, in the Northern District of California, the defendant

MICHAEL GIORDANO,

did knowingly and intentionally distribute a Schedule II controlled substance, to wit: five (5) grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(viii).

COUNT TWO: 21 U.S.C. § 843(b) – Use of a Communications Facility (Telephone) to
Commit/Facilitate Narcotics Trafficking


On or about January 27, 2010, in the Northern District of California, the defendant,
MICHAEL GIORDANO,
did knowingly and intentionally use a communications facility, namely a telephone, in
committing, and in causing and facilitating the commission of, an act constituting a felony, to
wit, a violation of Title 21, United States Code, Sections 841(a)(1), in violation of Title 21,
United States Code, Section 843(b).

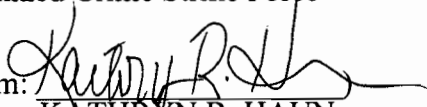
DATED: April 7, 2011

A TRUE BILL.


FOREPERSON

MELINDA HAAG
United States Attorney


ROBERT D. REES
Deputy Chief, Organized Crime Strike Force

(Approved as to form: )

KATHRYN R. HAUN
Assistant U.S. Attorney